

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

JOHNSTON

Serial No.: Divisional of 09/605,718

Group Art Unit: 1754

Filed: February 19, 2002

Examiner: Edward Johnson

Title: COAL-BASED ORGANIC
GROWTH COMPOUND

February 19, 2002

PRELIMINARY AMENDMENT

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Sir:

Please amend the above divisional application as follows:

IN THE CLAIMS

Cancel claim 1, adding in lieu thereof:

4. (New) A method of reclaiming coal strip-mining or deep-mining soil which comprises applying to said soil an amount of a bio-degradable plant growth composition consisting essentially of coal particulate, sodium molybdate, linear alcohol alkoxylate, magnesium sulphate, sand and water to facilitate plant growth.

5. (New) The method of claim 4 which involves the growth of plants without the use of a pesticide, herbicide, fungicide or insecticide.

6. (New) The method of claim 5 wherein said composition is applied around fruit trees to improve the yield and/or quality of the resulting fruit.

7. (New) The method of claim 5 wherein said composition is applied to soil where vegetables or fruit are grown to facilitate or improve the growth or characteristics of said vegetables or fruit.

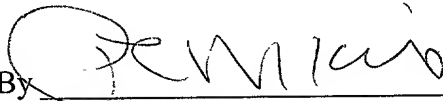
REMARKS

The present divisional application is directed to the subject matter of parent claims 4-7 which were held to be non-elected in applicants' allowed parent case.

Attached is a PTO-1449 listing the art of record in the parent case.

Respectfully submitted,

MORGAN LEWIS & BOCKIUS LLP

By 
Paul N. Kokulis
Reg. No. 16773

PNK:mh
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Phone: (202) 739-3000
Facsimile: (202) 739-3001
Direct: (202) 739-5455